



Select Board Minutes
Tuesday, June 21, 2022
7:00pm

The Select Board Regular Meeting was held virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A. S.20.

Select Board participants:

Rich Maiore, Erin McBee, Kara Minar, Don Ludwig
Charles Oliver was absent.

Town Department attendees:

Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro, Executive Assistant Julie Doucet

Additional participants:

Water Commission Chair Cindy Russo, various volunteers listed in the annual appointment section

Meet with Water Commissioners to discuss and act on water project

Commission Chair Cindy Russo reported the commission voted unanimously to recommend the town hire an engineer to move forward with the connection to Devens as the best long-term solution. In making their recommendation the commission compared the construction cost, cost of operation and benefits to the town over the next twenty years. She highlighted increased fire protection, potential for increased capacity (ability to add users abutting new system & ability to expand Town Center water system) and free the town of the risks and complexity of operation of a town run water system as benefits to the town for connection to the Devens Water System. They discussed use of ARPA funds as an appropriate source of funding for this project along with applying for State Revolving Fund (SRF) funding. Tim Bragan explained the SRF grant applications are due in August therefore a vote by the board is necessary. By a roll call vote, Ludwig – aye, McBee – aye, Minar – aye, Maiore – aye, the board voted unanimously to move forward with grant taking Water Commissions recommendation to go with Devens connection option.

Council on Aging building project funding

Assistant Town Administrator Marie Sobalvarro reported the cost estimates were inline with expectations however the HVAC costs came in higher due to the more energy efficient heat pumps. The Permanent Building Committee (PBC) are comfortable to proceed with the two alternatives and a lower contingency of 10%. They discussed the use of ARPA funds to fund the overage amount. The board members agreed this was a good use of the funds. By a roll call vote, the board voted unanimously to approve \$378,929 to be used from the ARPA funds to cover overage for HVAC system at the CoA building. Sobalvarro will instruct the PBC to go ahead and accept the low bid allowing the project to begin.

Annual Appointments

Chair Rich Maiore invited new volunteers to speak about their background and interest in serving. The Select Board will recognize any recommendations from the respective board/committee/commission.

Bare Hill Pond Watershed Management Committee

Chair Bruce Leicher introduced Rainer Park to be appointed as an associate member and Joe Pettrossi to fill the seat vacated by Brian McClain. By a roll call vote, McBee- aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Joe Pettrossi as full member of BHPWMC. By a roll call vote, Ludwig – aye, McBee – aye, Minar – aye, Maiore – aye, the board voted unanimously to appoint Rainer Park as associate member with a one-year term.

Conservation Commission

The commission provided a written recommendation for John Iacomini to fill the associate member position and Eve Wittenberg to fill the three-year position vacated by Wendy Sisson. John Iacomini was present as well as Eve Wittenberg. By a roll call vote, the board voted unanimously to appoint John Iacomini as associate member of the Conservation Commission.

Council on Aging

CoA Director Debbie Thompson was present to offer recommendation from the CoA board to appoint previous member Beth Williams and Wade Holtzman to fill seats being vacated by Fran Maiore and Cathy Walker. She introduced Kelene Blumstein who will fill the alternate position. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Kelene Blumstein as alternate on the Council on Aging board. By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Wade Holtzman and Beth Williams as full members on the Council on Aging board.

Cultural Council

Council member Rich Marcello introduced Lisa Aciukewicz and Kathryn Costello for appointment to the council. By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Lisa Aciukewicz and Kathryn Costello to Cultural Council.

Municipal Affordable Housing Trust (MAHT)

Chair Arielle Jennings is excited to recommend the appointment of Lisa McAteer to the trust. McAteer was not able to be present. By a roll call vote, Ludwig – aye, Minar – aye, McBee – aye, Maiore – aye, the board voted unanimously to appoint Lisa McAteer to the MAHT.

Park & Recreation Commission

Volunteer Sam Levine was present to express his interest in serving on the commission. A commission member was not present however the commission did recommend Levine's appointment. By a roll call vote, Ludwig – aye, McBee – aye, Minar – aye, Maiore – aye, the board voted unanimously to appoint Sam Levine to the Park & Recreation Commission.

Planning Board

The Planning Board did not provide a recommendation. Arielle Jennings, who currently serves on the MAHT, is excited to also volunteer on the Planning Board. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Arielle Jennings to serve on the Planning Board. John McCormack was present to express his interest in serving on the Planning Board as well. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint John McCormack as associate on the Planning Board.

Zoning Board of Appeals (ZBA)

Chair Chris Tracey attended the meeting to offer the ZBA's recommendation to appoint Barbara Romero as a new alternate member on the ZBA moving Steve Moeser into the full member position and Ted Maxant into an alternate role. Barbara Romero was present to express her interest in serving on the ZBA. By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Barbara Romero as alternate on the ZBA.

By a roll call vote, McBee– aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to approve the annual appointment list for FY23 with correction of Eve Wittenberg's term to three year.

Rich Maiore learned the Devens Framework Committee is comprised of current Shirley and Ayer Select Board members therefore he suggested the same for Harvard. He is interested in serving on that committee as well as Don Ludwig. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Rich Maiore and Don Ludwig to the Devens Framework Committee.

Minutes

By a roll call vote, Ludwig – aye, McBee – aye, Minar – aye, Maiore – aye, the board voted unanimously to approve minutes of from 6/7, as presented.

Out state travel

By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Mairoe, the board voted unanimously to approve out of state travel for the Town Clerk to attend a conference in NH.

Eagle Scout Proclamations

By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to provide proclamations for Jack Babcock and Michael Arata.

Public Comment

Eve Wittenberg, Prospect Hill Road, gave input on the Conservation Commission appointments with respect to the application from Dan Tracey. She said there is an obvious bias against those who have a differing view on deer management than the prevailing view on the commission. Dan Tracey has been excluded repeatedly despite his qualifications and decided to withdraw his application. She too has felt excluded from deer management even as a member of the commission. Wittenberg noted the individual recommended for appointment is an avid hunter and his only prior experience with the commission was specific to his property. She urged the Select Board to establish clear and objective criteria when it comes to the evaluation of applicant qualifications and closer oversight of the Deer Management subcommittee to ensure they operate consistent with the values of the town.

John Iacomini, Conservation Commission new appointee, said he is not aware of these prior issues and does not appreciate being implicated as only interested in serving on the commission for deer management. He said this view is very inaccurate and that Wittenberg is not aware of his other interests.

Kara Minar asked for clarity on the appointments made to the Harvard Devens Jurisdiction Committee asking if this bounced Lucy Wallace and Victor Normand from that committee. Rich Maiore said yes. He pointed out this was listed on the annual appointment list and handled with the standard approach. Minar admitted she did not realize this was the case and wondered why we remove two of the members with the most institutional knowledge especially without notifying them first.

Staff Report (Attachment A)

- 1) Item 2: By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to approve the Board of Health request to place signs in the right of way on Pond Road.
- 2) Item 3: The Select Board was agreeable to shift the lease agreement for the Bromfield House from June to July pending the probate court’s decision.
- 3) Item 6: Kara Minar commented on the surprising legislation filed regarding Devens. She noted Harvard has the most to lose or gain (2600 acres). Harvard must remain vigilant on this front.

Town cell tower

Assistant Town Administrator Marie Sobalvarro asked for confirmation the Select Board is ready to take the next steps with Isotrope in this process forward. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to move forward with development of an RFP for review at their July 19th meeting.

Ayer Road project design

Town Administrator Tim Bragan said a vote on the project design was delayed until the new board members were present and up to speed. New member Don Ludwig said he is prepared to vote on this matter.

Bragan confirmed the project design will include as requested by the Select Board:

- 11 ft. travel lanes
- 3 ft. shoulders going south
- 2 ft. shoulders going north
- Include bumpouts

By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Maiore, the board voted unanimously to approve project as outlined and discussed.

Letter to Department of Housing & Economic Development regarding Devens

By a roll call vote, McBee – aye, Ludwig – aye, Minar – aye, Maiore - aye, the board voted unanimously to approve sending the letter.

Select Board reports

Erin McBee reported the War Monument Restoration Committee has expended their funds. They have a couple of bushes to pay for with a total cost of \$184. She was inquiring if there are any other funding sources that could be used.

Erin McBee has begun to receive and expects more unfavorable feedback from residents on the lack of offerings at the pond this summer. She is hopeful traditional offerings will be available in coming years.

Kara Minar reported spreading of mulch has been completed at the playground.

Kara Minar will have the Revenue Ideation Committee final report ready for the July 19th meeting.

Rich will distribute liaison assignments and plans to complete the Town Administrator review in July.

By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to enter into executive session at 9:00pm per MGL Ch. 30A, s. 21(a)2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel. The Select Board will reconvene into open session only to adjourn.

The meeting was adjourned at 9:15pm.

Documents referenced:

CoA project details – dated 6.21.2022

FY23 annual appointment listing

various volunteer forms – dated Feb to May 2022

Isotrope letter – dated 6.7.2022

Eagle Scout proclamation requests – dated 6.16.2022

Draft letter to Dept. Housing Economic Development – dated 6.21.2022

Staff Report June 21, 2022

1. Harvard Electric Aggregation is starting the next round thank to Marie Sobalvarro. During Marie's discussion with Colonial Power Group and they informed her that given the current market the cost of electricity will increase on both clean and non-clean energy. It is expected that the increase for all green energy will be somewhere around 8 to 9 cents per kilowatt. (see attached)
2. The BOH has requested that the sign they brought to Town Meeting be installed on the right-of-way of Pond Road (see attached). If there are no objections from the Board I would like to have you vote on this matter and I will have it installed by the DPW.
3. Select Person McBee along with Legal Counsel Lanza were able to get a hearing date of June 29th despite no help from the Bromfield Trust. Hopefully the leasing of the Bromfield House will be able to move forward soon after the hearing.
4. Not unlike the private sector, the local government sector is facing a labor shortage (see attached SHN article). This is impacting all sizes of government in the areas of flexibility, working from home (hybrid), and payroll cost increases. One of the biggest areas being impacted on the local government side is in the upper management. According to the attached Commonwealth Magazine article two-thirds of the town managers have turned over in recent years and this is causing significant concern as there are few to no individuals coming into the field and this is causing some places to look at department heads from other communities to make the jump to Town Administration. This trend is going to continue into the future.
5. State Updates:
 - a. Casino Revenue dipped in May but is still a large revenue producer. (see attached). The dip could be a sign of what is happening in the economy but we will have to wait and see June and July revenue from this source.
6. Devens
 - a. Marie found the attached legislation regarding Devens last week and I have talked with my counterparts in Ayer and Shirley and neither of them were aware of this. This looks like someone is trying to do and end run on Vicksburg Square project.
 - b. Senator Eldridge was successful in getting a \$400,000 amendment into the State Senate's version of the State Budget. If approved in the final version of the State Budget then the funds would be used for a Devens Jurisdiction Study.(see attached).

- c. I received the attached email from Peter Lowitt regarding the need to increase the Development Cap in the Devens Bylaws. Mr. Lowitt will come to the July 19th meeting to discuss this with the Select Board.
7. The Massachusetts Taxpayer Foundation (MTF) explains that any Tax relief Package approved by the legislature has to include growth and not just relief. (see attached).
8. The house and Senate are actively working to further regulate Host Community Agreements (HCA) which could negatively impact the revenue the Town will see from its one and only marijuana establishment.
9. Notice and Reminders:
 - a. The Town Hall lift is still out of order and until the parts come in there are no public meetings by boards or committees in Town Hall.
 - b. As of July 1, Notary services will again be offered at the Town Hall and the Police Station. This was halted due to change in insurance regulations and Ms. Sobalvarro was able to work this into our insurance portfolio at minimal cost.
 - c. The 4th of July parade and field events will happen on Saturday July 2, 2022 and the fireworks will be held on July 4th at Fruitlands. (see attached documents)